

REMARKS/ARGUMENTS

The claims are 1-4 and 6-10 which were allowed in the Ex parte Quayle Office Action dated October 7, 2005 prior to the Request for Continued Examination herein. Claims 5 and 11 have been canceled, and claims 7-10 have been amended to delete reference numerals. In addition, claim 9 has been amended to change "LED (3)" to --photodetector--. Reconsideration is expressly requested.

Prior to the Request for Continued Examination, the Examiner indicated that the application was in condition for allowance except for the formal matters set forth on pages 2-4 of the Office Action. Specifically, the drawings were objected to under 37 CFR 1.83(a) as failing to show the "bandpass filters" in claim 5 and the "preseparator" in claim 11. The specification was also objected to as failing to provide proper antecedent basis for the "preseparator" in claim 11. In response, Applicants have canceled claims 5 and 11 thereby obviating the objections to the drawings and to the specification on this basis.

The Abstract was objected to as using the term "means". In

response, Applicants have amended the Abstract to delete this term, which it is respectfully submitted overcomes the objection to the Abstract on this basis.

The Examiner suggested that the "reference numerals" in claims 7-11 be deleted, and requested that in claim 9, line 1, the term "LED (3)" be changed to --photodetector--. In response, Applicants have amended claims 7-10 to make these changes, and have canceled claim 11, which it is respectfully submitted overcomes the Examiner's objections to the claims on the basis of these informalities.

In summary, claims 7-10 have been amended, and claims 5 and 11 have been canceled. In addition, the Abstract has been amended. In view of the foregoing, it is respectfully submitted that the Application is now in condition for allowance. A prompt Notice of Allowance is respectfully requested.

Applicants also submit herewith a Supplemental Information Disclosure Statement.

Respectfully submitted,

Dr. Andreas PETZOLD ET AL 1

By:

Allison C. Collard, Reg. No. 22,532

Edward R. Freedman, Reg. No. 26,048

Frederick J. Dorchak, Reg. No. 29,298

Attorneys for Applicant

COLLARD & ROE, P.C.
1077 Northern Boulevard
Roslyn, NY 11576
(516) 365-9802

Enclosure: Amended Abstract

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I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10, on the date indicated above, and is addressed to the Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450.


Maria Guastella